

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No. 10/738,417	)	
	)	
Inventor: Ham, J	)	Ex. S. Johnson
	)	
Filed: Dec. 17, 2003	)	Art Unit 3641
	)	
Title: INERT TACTICAL WEAPONS SYSTEM	)	
AND METHOD OF USE	)	
To. Commissioner of Patents		

**Second Response to the Patent Office Communication of**

**February 28, 2011**

A response to the above identified communication canceling all claims in the case except Claim 16 which was rewritten in independent form was filed on the 18<sup>th</sup> day of March 2011 but no notification from the Issue Branch has yet been received. As the undersigned never received an Examiner's Answer in this case he is submitting this back up response to insure that the record shows a response. The undersigned's address is as follows:

James W. Hiney, Esq.  
 Technology Law Offices  
 P. O. Box 818  
 Middleburg, VA 20118

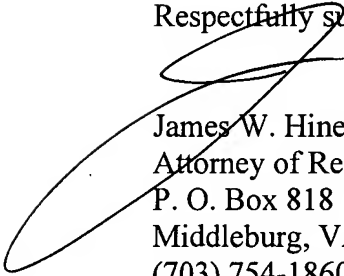
This is the address of record and this follow up is to insure some mail is not misdirected. With the Patent Office record of errors in mailing actions and not posting addresses or inquiry letters one must insure that the record is complete with accurate information.

A copy of the response of March 18<sup>th</sup>, 2011 is attached and a check with the Postal Service shows that the mail was delivered to the Patent Office.

It should be again noted for the record that a decision in this case came as a surprise as there was never any Examiner's amendment received from the Examiner by the undersigned and/or the inventor.

There being no further action required in the application an early passage to issuance is earnestly requested.

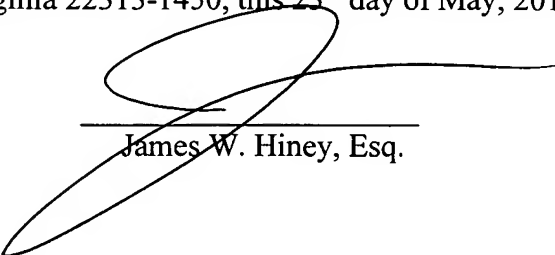
Respectfully submitted,



James W. Hiney, Esq.  
Attorney of Record  
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Middleburg, VA 20118  
(703) 754-1860

**Certification of mailing**

I hereby certify that an executed original of this communication was mailed,  
Express mail No. EG 398720339 US to Commissioner of Patents, P. O. Box 1450,  
Alexandria, Virginia 22313-1450, this 23<sup>th</sup> day of May, 2011



James W. Hiney, Esq.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Inventor:	Ham, J	)	Ex. S. Johnson
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Filed:	Dec. 17, 2003	)	Art Unit 3641
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Title:	INERT TACTICAL WEAPONS SYSTEM	)	
	AND METHOD OF USE	)	

To. Commissioner of Patents

**Response to the Patent Office Communication of**

**February 28, 2011**

In response to the above identified communication canceling claims 10 – 15 and 17 – 19, Applicant, through the undersigned responds as follows:

Please cancel claims 1 through 9 drawn to a non-elected invention.

Rewrite claim 16 in independent form as follows:

16. A CO<sub>2</sub> neutralizing system for use against terrorists and/or hostage takers within a confined space, said system comprising

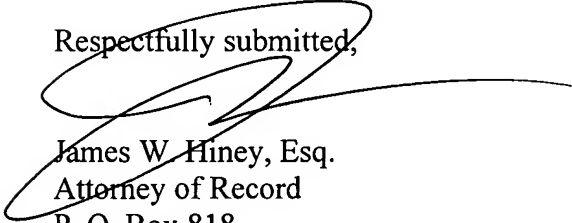
a source of CO<sub>2</sub> which has an odorant mixed therewith to  
create a false impression of the nature of the gas,

manual non-explosive means to create an opening in said space,  
and means to deliver said CO2 from said source into said space,  
said means to deliver said CO2 operatively connected to said means  
to create an opening.

All the claims except claim 16 have been cancelled and claim 16 rewritten in independent form above. This response is in compliance with the Examiner's comments in his letter of Feb. 28, 2011. It should be noted for the record that a decision in this case came as a surprise as there was never any Examiner's amendment received from the Examiner by the undersigned and/or the inventor.

There being no further action required in the application an early passage to issuance is earnestly requested.

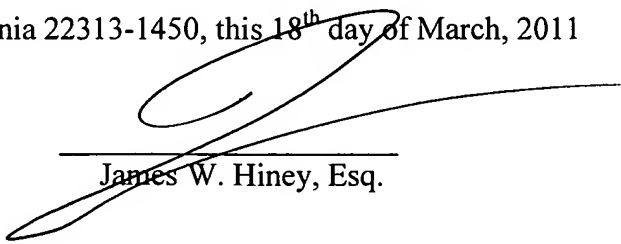
Respectfully submitted,



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**Certification of mailing**

I hereby certify that an executed original of this communication was mailed,  
Express mail No. EG 398712006 US to Commissioner of Patents, P. O. Box 1450,  
Alexandria, Virginia 22313-1450, this 18<sup>th</sup> day of March, 2011



James W. Hiney, Esq.

Serial No. 10/738,417

16. A CO<sub>2</sub> neutralizing system for use against terrorists and/or hostage takers within a confined space, said system comprising

a source of CO<sub>2</sub> which has an odorant mixed therewith to create a false impression of the nature of the gas,

manual non-explosive means to create an opening in said space,

and means to deliver said CO<sub>2</sub> from said source into said space,

said means to deliver said CO<sub>2</sub> operatively connected to said means to create an opening.